

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No. 3:09-CV-36-RJC-DSC**

**BENJAMIN TATE,** )  
 )  
 **Plaintiff,** )  
**vs.** )  
 )  
 **NC PEPSI-COLA BOTTLING** )  
 **COMPANY OF CHARLOTTE, INC.,** )  
 )  
 **Defendant.** )  
 )  
 )  
 \_\_\_\_\_ )

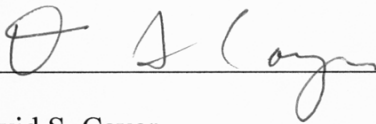
**ORDER**

**THIS MATTER** is before the Court on Defendant's "Consent Motion to File and Retain Documents Under Seal" (document #37). For the reasons set forth therein, the Motion will be **GRANTED**.

**IT IS HEREBY ORDERED** that Defendant's "Reply Brief in Further Support of Defendant's Motion for Summary Judgment" (document #36) shall be **SEALED** pending further orders of the Court.

**SO ORDERED.**

Signed: September 8, 2010



David S. Cayer  
United States Magistrate Judge

